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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,104	12/03/2003	Chen Shi-Tsung	23724-07833	7279

758 7590 10/28/2004

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER

BROUSSARD, COREY M

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/728,104

Applicant(s)

SHI-TSUNG, CHEN

Examiner

Corey M. Broussard

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/03/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because the signature of the applicant is not dated.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 12/04/2004. It is noted, however, that applicant has not filed a certified copy of the Taiwanese application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Unrein et al (US/6,324,075). With respect to claim 10, the method of limiting EMI and cooling is inherent in the structure of Unrein. Unrein teaches directing air flow from within the chassis (103, 303, etc.) out of the chassis through the porous window (329, 529, 597

etc.), thereby cooling the components (column 3 lines 17-19), and preventing EMI from escaping the chassis through the window (column 3 lines 12-14).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halligan et al. (US/5,032,689) in view of Unrein et al. (US/6,324,075). With respect to claim 1, Halligan teaches of a chassis (12) with a side panel having an opening, where a mesh screen (3) is attached and covering the opening for EMI shielding substantially as claimed. Halligan fails to disclose a chassis for a computer. Unrein teaches the conventionality of using EMI shielding through a panel (394) with an opening for a computer containing computer components (324, 322, etc). It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the chassis and shielding of Halligan for shielding any electrical components such as computer components. Unrein is relied upon to show that it is notoriously old and well known to shield computer components.

7. With respect to claim 2, Halligan as modified by Unrein fails to teach a chassis for a small form factor computer. A change in the size of a prior art device is a design consideration within the skill of the art. In re Rose, 220 F.2d 459, 105 USPQ 237

(CCPA 1955). It would have been obvious for a person of ordinary skill in the art at the time of the invention to scale the chassis of Halligan as modified by Unrein to provide shielding for any size form factor known in the art for the benefit of expanding the market for sales of the shielding.

8. With respect to claims 3 and 4, Halligan teaches a mesh screen (3) comprising of a thermally conductive material (column 4 lines 64-66) that preferably is a metal (column 2 lines 18-20).

9. With respect to claim 5, Halligan teaches that the mesh screen (3) is attached by screws (14).

10. With respect to claim 7, Unrein teaches that the opening in the side panel (394) has a rectangular shape and comprises at least half the area of the side panel (see Fig. 3). It would have been obvious to one of ordinary skill in the art to expand the opening of Halligan as taught by Unrein for greater cooling capacity of the components therein.

11. With respect to claims 6 and 9, Halligan fails to disclose the details of the gauge of the screen used. An optimization of a range or value of prior art is not inventive if discovered by the routine experimentation of those skilled in the art. In re Aller, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955). It would have been obvious to a person of ordinary skill in the art to choose any gauge mesh known for the benefits of: cost effectiveness, durability, EMI shielding capability, airflow resistance, and/or transparency, selection of a mesh of 200 dots per inch would minimize weight and maintain effectiveness of the shielding as required by Halligan.

12. Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unrein et al. (US/6,324,075). With respect to claim 11, Unrein fails to teach a chassis specifically for a small form factor computer. A change in the size of a prior art device is a design consideration within the skill of the art. In re Rose, 220 F.2d 459, 105 USPQ 237 (CCPA 1955). It would have been obvious for a person of ordinary skill in the art at the time of the invention to scale the chassis of Unrein to any size form factor known in the art for the benefit of expanding the market for sales of the shielding.

13. With respect to claim 13, Unrein fails to disclose a window hole density of at least 200 holes per square inch. An optimization of a range or value of prior art is not inventive if discovered by the routine experimentation of those skilled in the art. In re Aller, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955). It would have been obvious to a person of ordinary skill in the art at the time of the invention to choose any hole density known for the benefit of cost effectiveness, durability, EMI shielding capability, and airflow resistance.

14. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Unrein et al. (US/6,324,075) in view of Halligan et al. (US/5,032,689). The method of limiting EMI and cooling is inherent in the structure of Unrein. Unrein teaches directing air flow from within the chassis (103, 303, etc.) out of the chassis through the porous window (329, 529, 597 etc.), thereby cooling the components (column 3 lines 17-19), and preventing EMI from escaping the chassis through the window (column 3 lines 12-14). Unrein fails to disclose a porous window allowing the interior to be visible from outside through the window. Halligan teaches of a porous window that is a mesh screen. It

would have been obvious to a person of ordinary skill in the art at the time of the invention to replace the porous window of Unrein with the mesh screen of Halligan where the interior can be viewed from outside there through for the benefit of a more aesthetically pleasing chassis window.

15. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Halligan et al (US/5,032,689) in view of Unrein et al. (US/6,324,075) as applied to claim 7 above, and further in view of Heard (US/2002/0080580). Halligan teaches a mesh screen (3) secured to the side panel of a chassis (12) by a screw (14) near each corner (see Fig. 5) of the rectangular opening. Unrein teaches a chassis (303) containing computer components (324, 322, etc) and an rectangular opening in a side panel (394) that comprises of at least one half the area of the panel (see Fig. 3). Halligan as modified by Unrein fails to teach that the mesh screen is mounted to an interior side of the panel. Heard teaches a side panel (100) with a rectangular opening and a screen (102) mounted to an interior side of the panel. It would have been obvious to a person of ordinary skill in the art at the time of the invention to mount the mesh screen of Halligan as modified by Unrein to the interior of the side panel as disclosed by Heard to prevent arbitrary removal of the screen and to reduce damage to the mesh.

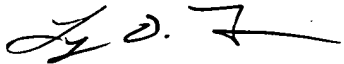
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey M. Broussard whose telephone number is 571 272 2799. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmb


LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800